

REMARKS

Applicants appreciate receiving an initialed copy of the form PTO 1449 was filed on 11 July 2003.

Claims 1-24 were pending. Claims 1-24 were canceled and new claims 25-48 submitted herein. Thus, claim 25-48 are now pending. The applicant respectfully requests reconsideration and allowance of this application in view of the above amendments and the following remarks.

Claims 1-3, 8, 10, 13, 14, 16-21, 23, and 24 were rejected under 35 USC 103(a) as being unpatentable over Noerpel et al., U.S. Patent No. 6,249,677 (hereinafter "Noerpel") in view of Wiedeman et al., U.S. Patent No. 6,249,677 (hereinafter "Wiedeman 1"). The applicant respectfully requests that this rejection be withdrawn for the following reasons.

Claims 1-3, 8, 10, 13, 14, 16-21, 23, and 24 are canceled herein and will not be discussed.

Claims 4 and 22 were rejected under 35 USC 103(a) as being unpatentable over Noerpel and Wiedman 1 and further in view of Hreha et al., U.S. Patent No. 6,400,696. The applicant respectfully requests that this rejection be withdrawn for the following reasons.

Claims 4 and 22 are canceled herein and will not be discussed.

Claims 5, 6, 11 and 12 were rejected under 35 USC 103(a) as being unpatentable over Noerpel and Wiedman 1 and further in view of Wiedman et al., U.S. Patent No. 5,594,180 (hereinafter "Wiedeman 2"). The applicant respectfully requests that this rejection be withdrawn for the following reasons.

Claims 5, 6, 11 and 12 are canceled herein and will not be discussed.

Claim 7 was rejected under 35 USC 103(a) as being unpatentable over Noerpel and Wiedman 1 and Wiedman 2 and further in view of Kelly, et al., U.S. Patent No. 6,987,741

(hereinafter “Kelly”). The applicant respectfully requests that this rejection be withdrawn for the following reasons.

Claim 7 is canceled herein and will not be discussed.

Claims 9 and 15 were rejected under 35 USC 103(a) as being unpatentable over Noerpel and Wiedman 1 and further in view of Yamagiwa, U.S. Patent No. 6,532,219. The applicant respectfully requests that this rejection be withdrawn for the following reasons.

Claims 9 and 15 are canceled herein and will not be discussed.

New claims 25-48 are believed allowable over the applied art in that the applied references alone or in combination fail to disclose or fairly teach or suggest the features of, for example, independent claim 25, associated with the claimed resource controller including, *inter alia*, a processor coupled to a satellite interface and configured to intercept a request from one of a plurality of user terminals on an uplink section of a satellite, the request for a connection with a content provider. The processor is further configured to acknowledge the intercepted request or deny the intercepted request based on the resources available for transmission to the content provider. A review of applicant’s specification reveals many reasons why the prior art satellite systems fail to include such resource controllers.

Applicant notes that the applied art further fails to disclose or teach or suggest the features of, for example, independent claim 33, associated with the claimed method including, *inter alia*, intercepting, at a satellite, a request from a user terminal for a connection with a content provider forming an intercepted connection request, and notifying the user terminal of resources available for a transmission to the content provider directly from the satellite in response to the intercepted connection request. By directly notifying the user terminal of the resources, the user terminal, for example, can immediately seek alternate routing or the like if

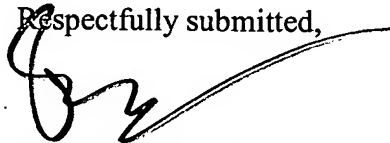
insufficient resources are available. Such alternative action is not possible in a conventional system where a user terminal must wait for a request to be transmitted to a satellite, relayed to a content provider, a response from the content provider transmitted back to a satellite, then relayed back to the user terminal. In such a system, particularly when a request is effectively denied by lack of resources, the round trip delay in processing the request in a conventional system is intolerable. When critical services are involved, such as voice services, such a delay can cause failure of the voice service connection or session.

Finally, the applicants note that the applied art further fails to disclose or teach or suggest the features of, for example, independent claim 40, associated with the claimed hybrid payload satellite capable of handling a digital payload and an analog payload including, *inter alia*, a forward payload section including a forward processing module and an forward amplifier, the forward payload section for handling the analog payload and a return payload section including a return processing module having an arbitration processor and a return amplifier, the return payload section for handling the digital payload. The arbitration processor is configured to intercept a request from one of the plurality of user terminals on the uplink section for access to a connection with the content provider and either grant the intercepted request or deny the intercepted request based on the resources available for transmission to the content provider.

In view of the foregoing, the applicant submits that this application is in condition for allowance. A timely notice to that effect is respectfully requested. If questions relating to patentability remain, the examiner is invited to contact the undersigned by telephone.

If there are any problems with the payment of fees, please charge any underpayments and credit any overpayments to Deposit Account No. 50-1147.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'R. L. Scott, II', is written over a horizontal line.

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